

# Notice of Allowability

Application No.

09/811,848

Examiner

Courtney D. Fields

Applicant(s)

ELGRESSY ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 23 May 2006.
2. ☒ The allowed claim(s) is/are 1-16 and 18-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### DETAILED ACTION

1. Claims 1 and 13-16 have been amended.
2. Claims 1-16 and 18-33 are pending.

### *Response to Arguments*

3. Applicant's arguments filed 23 May 2006 have been fully considered and they are persuasive.

### *Allowable Subject Matter*

4. **Claims 1-16 and 18-33** are allowed.
5. The following is an examiner's statement of reasons for allowance: The present invention is directed toward a method and system for preventing undesirable activities of undesirable executable objects in a workstation of a computer network. Each independent claim identifies the uniquely distinct features "**denying one or more threads of an application access to a secured resource if one or more threads has previously exhibited Internet behavior and has not met a specific condition for accessing the secure resource if, at a time access is sought to the Internet, one or more threads is accessing a secured resource**". The closest prior art, Touboul (US Patent No. 6,617,520) discloses a network system and method for protecting a client during runtime from hostile downloadables (i.e. Java or Active X objects) comprising a server. The server is coupled a communication channel which allows the client to communicate over the Internet. When an application receives an Internet executable (i.e. Java or Active X object), it is stored within a temporary directory (i.e. data storage device) and only when the executable has been downloaded from the

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Internet, one of the threads (i.e. applet) downloads an Internet executable (i.e. Java or Active X object). Within the security system, the operating system probes recognizes applet instructions, therefore, a message is indicated to inform the event router. Upon receipt of a message, the event router forwards the message for notifying the user of the request, to an event log and memory management system probe which records and monitors suspicious operations. Suspicious operations are denied if the runtime monitor detect violation of an applet using more than two megabytes of RAM or when the Java virtual machine attempt to run more than five applets concurrently. However, either singularly or in combination, Touboul fail to anticipate or render the claimed limitation wherein denying one or more threads of the application Internet behavior if, at a time access is sought to the Internet, one or more threads is accessing a secured resource. The closest prior art, Ji et al. (US Patent No. 5,623,600) discloses a system and method for detecting and eliminating viruses on a computer network. Ji et al. also discloses processing files before transmission from the network by determining if a file contains a virus. If the file contains a virus, access will be denied to the Internet. However, either singularly or in combination, Ji et al. fail to anticipate or render the claimed limitation wherein denying one or more threads of the application Internet behavior if, at a time access is sought to the Internet, one or more threads is accessing a secured resource.

6. Therefore, **claims 1 and 13-16**, and the respective **dependent claims 2-12 and 18-33** are in condition for allowance.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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August 17, 2006

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER